

April 28, 2025

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The sealing requests herein will be resolved pursuant to the procedures and scheduled set forth in Dkt. 916. The Clerk of Court is directed to terminate the instant letter motion at Dkt. 926.

SO ORDERED:

04/29/2025



HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

**VIA ECF**

The Honorable Andrew L. Carter, Jr.  
United States District Courthouse  
Southern District of New York  
40 Foley Square, Room 435  
New York, NY 10007

Re: *Hedgeye Risk Management, LLC v. Dale, et al.*, No. 1:21-cv-3687 (ALC) (RWL)

Dear Judge Carter:

We represent plaintiff Hedgeye Risk Management, LLC (“Hedgeye”) in the above captioned matter. We write to request that the following briefs be filed unredacted under seal, and redacted on the public record for confidentiality as indicated:

- Plaintiff-Counterdefendant Hedgeye Risk Management, LLC’s Reply Memorandum of Law in Support of its Motion to Exclude Certain Expert Testimony of Francesco Bianchi
- Plaintiff-Counterdefendant Hedgeye Risk Management, LLC’s Reply Memorandum of Law in Support of its Motion to Exclude Certain Expert Testimony of Kristopher Boushie
- Plaintiff-Counterdefendant Hedgeye Risk Management, LLC’s Reply Memorandum of Law in Support of its Motion to Exclude Certain Expert Testimony of Jordan Milev
- Plaintiff-Counterdefendant Hedgeye Risk Management, LLC’s Reply Memorandum of Law in Support of its Motion to Strike the Declaration of Fabien Thayamballi

Pursuant to the Stipulated Confidentiality Agreement and Protective Order between the Parties (Dkt. 45), all Confidential Discovery Material must be filed with the Court under seal. The listed documents contain Hedgeye’s proprietary information, including material that Judge Lehrburger has also ordered to be designated as Attorneys’ Eyes Only (AEO) such as Hedgeye’s trade secrets and Hedgeye employee trade data. *See* Dkt. Nos. 702 & 706. In the unredacted versions of these documents filed under seal, we have indicated by red highlighting those materials we believe should be designated AEO. Further, and without waiver of Hedgeye’s position as to these requests, we have indicated by green highlighting material that Defendants Darius Dale,

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Steven Lamar and 42 Macro, LLC's (the "Dale Defendants") have redacted in prior filings. To the extent that Your Honor is inclined to unseal the redacted portions of the documents filed on the public record, Hedgeye requests further briefing on the issue.

Respectfully submitted,

/s/ Jessie F. Beeber

Jessie F. Beeber

cc: All counsel via ECF